

Amendment No. 1 to HB1047

Curcio

Signature of Sponsor

AMEND Senate Bill No. 717*

House Bill No. 1047

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following new subsection:

(x)

(1) Notwithstanding any provisions of this section to the contrary, there shall be no release eligibility for a person committing an offense, on or after July 1, 2021, that is enumerated in subdivision (x)(2). The person shall serve one hundred percent (100%) of the sentence imposed by the court undiminished by any sentence reduction credits the person may be eligible for or earn. The person shall be permitted to earn any credits for which the person is eligible and the credits may be used for the purpose of increased privileges, reduced security classification, or for any purpose other than the reduction of the sentence imposed by the court.

(2) The offenses to which subdivision (x)(1) applies are:

(A) Female genital mutilation, as defined in § 39-13-110;

- (B) Domestic assault, as defined in § 39-13-111, when the offense is a felony offense;
- (C) Trafficking for a commercial sex act, as defined in § 39-13-309;
- (D) Advertising commercial sexual abuse of a minor, as defined in § 39-13-315;
- (E) Rape, as defined in § 39-13-503;
- (F) Aggravated sexual battery, as defined in § 39-13-504;
- (G) Sexual battery, as defined in § 39-13-505;
- (H) Aggravated statutory rape, as defined in § 39-13-506(c);
- (I) Indecent exposure, as defined in § 39-13-511, when the offense is a felony offense;
- (J) Patronizing prostitution, as defined in § 39-13-514(b)(3);
- (K) Promoting prostitution, as defined in § 39-13-515;
- (L) Public indecency, as defined in § 39-13-517(d)(3);
- (M) Continuous sexual abuse of a child, as defined in § 39-13-518;
- (N) Sexual battery by an authority figure, as defined in § 39-13-527;
- (O) Solicitation of a minor, as defined in § 39-13-528, when the offense is a felony offense;
- (P) Soliciting sexual exploitation of a minor, as defined in § 39-13-529;
- (Q) Statutory rape by an authority figure, as defined in § 39-13-532;
- (R) Promoting travel for prostitution, as defined in § 39-13-533;

- (S) Unlawful photographing in violation of privacy, as defined in § 39-13-605, when the victim is under thirteen (13) years of age;
- (T) Observation without consent, as defined in § 39-13-607(d)(2);
- (U) Incest, as defined in § 39-15-302;
- (V) Child abuse or child neglect or endangerment, as defined in § 39-15-401;
- (W) Aggravated child abuse or aggravated child endangerment or neglect, as defined in § 39-15-402;
- (X) Using a minor to produce, import, prepare, distribute, process, or appear in obscene material, as defined in § 39-17-902(b);
- (Y) Unlawful sale, distribution, or transportation with intent to sell or distribute of a child-like sex doll, as defined in § 39-17-910(f);
- (Z) Sexual exploitation of a minor, as defined in § 39-17-1003;
- (AA) Aggravated sexual exploitation of a minor, as defined in § 39-17-1004;
- (BB) Especially aggravated sexual exploitation of a minor, as defined in § 39-17-1005;
- (CC) Conspiracy, under § 39-12-103, to commit any of the offenses listed in this subdivisions (x)(2);
- (DD) Criminal attempt, under § 39-12-101, to commit any of the offenses listed in this subdivision (x)(2); or
- (EE) Solicitation, under § 39-12-102, to commit any of the offenses listed in this subdivision (x)(2).

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it, and applies to offenses committed on or after that date.